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THREE CURRENT AND FORMER U.S. SOLDIERS AGREE TO PLEAD GUILTY TO PARTICIPATING IN BRIBERY AND EXTORTION CONSPIRACY

WASHINGTON, D.C. – Three additional current and former U.S. soldiers have agreed to plead guilty to participating in a widespread bribery and extortion conspiracy which operated from January 2002 through March 2004, Assistant Attorney General Alice S. Fisher of the Criminal Division announced today.

The charges arise from Operation Lively Green, an FBI undercover investigation that began in December 2001. Thirty-seven defendants have already pleaded guilty in this ongoing prosecution and will be sentenced on February 6, March 24 and April 24, 2006.

The additional defendants are:

- Anthony R. Fimbres, 39, formerly a Private First Class in the Arizona Army National Guard (AANG);
- Steven L. Lawler, 26, formerly a Sergeant in the United States Army; and
- Ray Segala, 52, a Sergeant in the AANG.

In documents filed today in federal court in Tucson, Arizona, the defendants agreed to plead guilty to one count of conspiring to enrich themselves by obtaining cash bribes from persons they believed to be narcotics traffickers, but who were in fact Special Agents of the FBI, in return for the defendants using their official positions or causing others to use their official positions to assist, protect, and participate in the activities of an illegal narcotics trafficking organization engaged in the business of transporting and distributing cocaine from Arizona to other locations in the southwestern United States. In order to protect the shipments of cocaine, the defendants wore official uniforms and carried official forms of identification, used official vehicles, and used their color of authority where necessary to prevent police stops, searches, and seizures of the narcotics as they drove the cocaine shipments on highways that passed through checkpoints manned by the U.S. Border Patrol, the Arizona Department of Public Safety, and Nevada law enforcement officers.

All of the defendants escorted at least one shipment of cocaine from locations such as Nogales, Arizona and Tucson, Arizona to destinations which included Phoenix, Arizona and Las Vegas, Nevada. The additional defendants who have agreed to plead guilty accepted over \$9,000 in cash bribes as payment for their illegal activities, in addition to the approximately \$325,000 in cash bribes accepted by the 37 defendants who have already pleaded guilty. The total amount of cocaine transported by all the defendants was over 700 kilograms.

In one instance, on Aug. 22, 2002, some of the defendants drove three official government vehicles, including two military Humvees assigned to the AANG, to a clandestine desert airstrip near Benson, Arizona where they met a twin-engine King Air aircraft flown by

undercover agents of the FBI. Those defendants, while in full uniform, supervised the unloading of approximately 60 kilograms of cocaine from the King Air into their vehicles. They then drove the cocaine to a resort hotel in Phoenix where they were met by another undercover agent of the FBI – posing as a high-echelon narcotics trafficker – who immediately paid them off in cash. Seven defendants who participated in that shipment have already pleaded guilty.

The conspiracy charge carries a maximum penalty of five years in prison and a \$250,000 fine. All of the defendants are expected to enter their pleas in federal court in Tucson beginning at 3 P.M. MST today before the Hon. Magistrate Judge Charles R. Pyle. Each defendant has agreed to cooperate in this ongoing investigation.

These cases are part of a joint investigation being conducted by the Southern Arizona Corruption Task Force (SACTF), which is comprised of the FBI, the Drug Enforcement Administration, the U.S. Immigration and Customs Enforcement (ICE) at the Department of Homeland Security, and the Tucson Police Department. Though not part of the SACTF, the Arizona Air National Guard, Air Force Office of Special Investigations, Defense Criminal Investigative Service, and the Criminal Investigation Division of the Internal Revenue Service are also participating in the investigation. The cases are being prosecuted by Senior Trial Attorney John W. Scott of the Public Integrity Section of the Criminal Division, U.S. Department of Justice, headed by Section Chief Noel L. Hillman. The United States Attorney's Office for the Western District of Oklahoma has also secured the guilty pleas of seven defendants in a related investigation, Operation Tarnished Star.

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